



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

February 3, 2014

Citizens for the Success of
Benton Harbor
P.O. Box 9087
Benton Harbor, Michigan 49022

Dear Mr. Rolling:

The Department of State received 5 responses to the complaint you filed against Trenton Bowens, Wilce Cooke, George Moon, Marcus Muhammad, and Edward Pinkney, which concerns an alleged violation of the Michigan Campaign Finance Act (MCFA), 1976 P.A. 388, MCL 169.201 *et seq.* Copies of the responses are provided as enclosures with this letter.

If you elect to file a rebuttal statement, you are required to send it within 10 business days of the date of this letter to the Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Trenton Bowens
Wilce Cook
George Moon
Marcus Muhammad
Edward Pinkney

Received Time Dec. 20, 2013 11:51 AM No. 89533
FAX
Campaign Finance Complaint

To Lori Bourbonais

BUREAU OF ELECTIONS
MI DEPT OF STATE
2013 DEC 20 PM 12:42

FAX 517-373-0941

From Rev Edward Pinkney

FAX 269 925-0001

I will mail original! Dec 21, 2013

Rev Edward Pinkney
1940 Union Ave
Benton Harbor, Michigan 49022

December 19, 2013

Department of State
Bureau of Elections
Richard H. Austin Building 1st Floor
430 West Allegan Street
Lansing, Michigan 48918

To whom it may concern:

I am sending this letter in response to the attached letter from the Department of State dated December 5, 2013. The December 5, 2013 Letter indicates the Department received formal complaints by Citizens Success of Benton Harbor (CSBH) alleging that I violating the Michigan Campaign Finance Act or Act (MCFA) 1976 PA 388, MCL 169,201 et seq. I Rev Edward Pinkney denies all allegations.

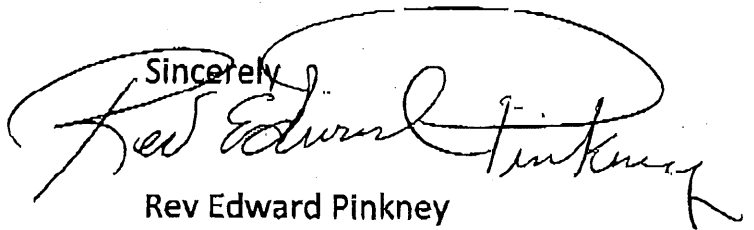
First, I Rev Edward Pinkney, never worked with Trenton Bowen, Wilce Cook, George Moon and Marcus Muhammad nor was I in a partnership with them. I also received no contributions in relation to or for a purpose of influencing or attempting to influence the actions of voters regarding a ballot issue. I did not receive any contributions (0). I also did not make any significant expenditure for the purpose of influencing or attempting to influence the actions of voters for or against a ballot issue.

The MCFA requires a committee to file a statement of organization within ten (10) Days of reaching the \$500.00 thresholds for contribution or expenditures. I was not required to file anything. There was no organization or partnership. I had no reason to file any paperwork with the county or state.

It appears the CSBH has filed a false certification knowingly and willfully with the intent to deceive in violation of the Michigan Campaign Finance Act (MCFA). Section 15 (8) of the (MCFA) provides that a person who files a complaint with a false certification is responsible for a civil violation of the (MCFA). The person may be required to pay a civil fine of up to \$1,000 and plus other amounts under section 15(11) of the (MCFA).

Finally, please feel free to contact me with regard to any further issues in relation to this matter.

Sincerely

A handwritten signature in cursive script, appearing to read "Rev Edward Pinkney", written over a horizontal line.

Rev Edward Pinkney

Fax

To: Lori A. Bourbonais From: George Moon
Fax: 1517-373 0941 Pages: 2
Phone: _____ Date: 12/19/13
Re: _____
☒ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle
* Comments: _____

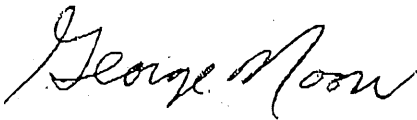
December 19, 2013

George E. Moon
818 High Point Drive
Benton Harbor, Michigan 49022

Lori A. Bourbonais
Department of State Bureau of Elections
Richard H. Austin Bldg. 1st floor
430 West Allegan St.
Lansing, Michigan 348918

The department of state Bureau of Elections received a formal complaint filed by citizens for the success of Benton Harbor alleging that I violated the Michigan Campaign Finance Act, or Act (MCFA or Act) 1976 PA 388, Mc 1169.201 et Seq. I categorically deny all allegations against me.

I did not receive any contributions, donated any money or belong to any committee.



Sincerely, George Moon

Bourbonais, Lori (MDOS)

From: Trenton Bowens <trenton.bowens@yahoo.com>
Sent: Friday, December 27, 2013 10:40 AM
To: Bourbonais, Lori (MDOS)
Subject: Re: Extension with the complaint

Hello:

I am currently working on rectifying this issue. I did not know I had to create a committee I was in support of the city tax and did my own thing separate.. We have been forced to file a committee and pay outrageous fines. As I prepare for a written response I ask that we have an extension. This was totally caught of guard and I will respond via to each allegation.

Also if possible does the state of Michigan offers a waiver form from the fines?

Trenton

On Thursday, December 26, 2013 11:43 AM, "Bourbonais, Lori (MDOS)" <bourbonaisl@michigan.gov> wrote:
Mr. Bowens,

Section 15 of the Michigan Campaign Finance Act, MCL 169.215, provides that the Department may grant an extension of time to file an answer to a complaint for good cause. Please provide a reason, in writing, for your extension request.

Thank you,
Lori A. Bourbonais

From: Trenton Bowens [<mailto:trenton.bowens@yahoo.com>]
Sent: Thursday, December 26, 2013 11:36 AM
To: Bourbonais, Lori (MDOS)
Subject: Extension with the complaint

Hello

I would like an extension to a complaint that was filed on me regarding the complaint.

TRENTON

Sent from Yahoo Mail on Android

Bourbonais, Lori (MDOS)

From: Trenton Bowens <trenton.bowens@yahoo.com>
Sent: Friday, January 24, 2014 6:47 AM
To: Bourbonais, Lori (MDOS)
Subject: Re: Extension with the complaint
Attachments: Trenton M Bowens-Complaint.docx

Please see the attachment of my response for the complaint, That was filed against me

Trenton Bowens

On Thursday, December 26, 2013 11:43 AM, "Bourbonais, Lori (MDOS)" <bourbonaisl@michigan.gov> wrote:
Mr. Bowens,

Section 15 of the Michigan Campaign Finance Act, MCL 169.215, provides that the Department may grant an extension of time to file an answer to a complaint for good cause. Please provide a reason, in writing, for your extension request.

Thank you,
Lori A. Bourbonais

From: Trenton Bowens [<mailto:trenton.bowens@yahoo.com>]
Sent: Thursday, December 26, 2013 11:36 AM
To: Bourbonais, Lori (MDOS)
Subject: Extension with the complaint

Hello

I would like an extension to a complaint that was filed on me regarding the complaint.

TRENTON

Sent from Yahoo Mail on Android

Trenton M Bowens
706 Pipestone apt 5
Benton Harbor 49022
Trenton.Bowens@yahoo.com

Dear Ms. Lori A. Bourbonnais,

Department of State Bureau of Elections,
Richard H. Austin Building, 1st Floor, 430
West Allegan Street, Lansing Michigan 48918

Regards: Michigan Campaign Finance Act Violations

Greetings,

Many of Mr. Rollings, allegations are untrue; however I have filed and accept responsibility and am in the process of paying the fine that was given by Berrien County Prosecutor office.

Trenton Bowens

870 Colfax Avenue - Benton Harbor, MI 49022
Phone: (269) 605-1200 Fax: (269) 605-1203

Benton Harbor High School**Fax**

To: Lori Burdick From: Marcus Muhammed
Fax: _____ Pages: 15
Phone: (269) 861-6504 Date: 1/28/14
Re: _____ CC: _____
☒ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

JAN 21 PM 10:56

BUREAU OF ELECTIONS
STATE OF MICHIGAN

January 22, 2014

Dear Lori A. Bourbonais:

I hope that this communication finds you in the best of health and spirit.

I am writing in response to the allegation that I violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.*

The Benton Harbor City Income Tax ballot question was a polarized issue in the City of Benton Harbor. There was a grass roots effort where residents contributed personal resources to support their position.

However, after being made aware of the strict rule of law as it relates to the Michigan Campaign Finance Act a committee was filed to be in compliance with any said laws.

Enclosed is a list of receipts that reflect my contribution along with other individuals that contributed to the vote yes ballot question.

I greatly appreciate your patience in this matter.

Respectively submitted,

A handwritten signature in cursive script, appearing to read "Marcus Muhammad", written in dark ink.

Marcus Muhammad

Michigan Department of State
Bureau of Elections

2014 JAN 23 AM 10:56

**STATEMENT OF ORGANIZATION RECEIPT
AND
COMMITTEE IDENTIFICATION NUMBER ASSIGNMENT
BERRIEN COUNTY**

CITIZENS TO SAVE BENTON HARBOR
200 E. WALL STREET
BENTON HARBOR, MI 49022

Original Statement of Organization -- Acknowledgement of Receipt

This acknowledges receipt of the Original Statement of Organization from the committee named above.

Date Received: December 26, 2013

Committee Identification Number Assignment

The identification number appearing below has been assigned to your committee. This number must be used on each page of all subsequent statements, reports, correspondence or other communications filed or submitted by your committee.

USE THIS NUMBER ON ALL DOCUMENTS

140586

Cynthia J. Tolson
Signature

12/26/2013

Date

Filing Official:

- ☐ Secretary of State
☒ County Clerk

Authority granted under P.A. 388 of 1976

Received Time Jan. 22. 2014 3:37PM No. 9079



Berrien County Michigan
County Clerk ~ Sharon J. Tyler

Courthouse
811 Port Street, St Joseph
Michigan
Thank You!

12/26/2013 02:24:05 PM

Transaction #: 920768
Receipt #: 30923

From: MARCUS MOHAMMAD
By: DMensing

Campaign Finance Fees	\$300.00
Total	\$300.00
Cash	\$300.00
Change Cash	\$0.00

*** Receipt ***



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

ORIGINAL OR AMENDED

STATEMENT OF ORGANIZATION FORM FOR BALLOT QUESTION COMMITTEES

1. Committee ID #: 140586	2. Type of Filing: <input checked="" type="checkbox"/> Original: <input type="checkbox"/> Amendment to items:	Eff. Date:
3. Date Committee was Formed: 12/19/2013		
4. Full Name of Committee: Citizens to Save Benton Harbor		
5. Acronym or Abbreviation (if any): CSBH		
6. Complete Committee Mailing Address (May be PO Box): 200 East Wall Street Benton Harbor MI 49022		
7. Complete Committee Street Address (May not be PO Box):		
*Committee Phone: (269) 861-0598	Committee Email Address: Commissioner.bowens@yahoo.com	
Committee Fax #:	Committee Website Address:	
8. Treasurer Name and Complete Address: Trenton Bowens 706 Pipestone Apt 5		
Phone #: (269) 861-0598	Email Address: commissioner.bowens@yahoo.com	
9. Designated Record Keeper Name and Complete Address:		
Phone #:	Email Address:	
<p>*10. REPORTING WAIVER REQUEST:</p> <p><input type="checkbox"/> YES, I/WE WANT TO APPLY FOR THE REPORTING WAIVER. The committee does not expect to spend or receive in excess of \$1,000 in an election. I/We understand that if the committee does not spend or receive in excess of \$1,000 in an election, the committee does not owe Pre, Post, Quarterly and Annual Campaign Statements. I/We further understand that the Reporting Waiver will be automatically lost if the committee exceeds the \$1,000 threshold and all required campaign statements must be filed. <u>A Reporting Waiver does not exempt a committee from filing Late Contribution Reports or Petition Proposal Campaign Statements.</u></p> <p><input checked="" type="checkbox"/> NO, I/WE DO NOT WANT TO APPLY FOR THE REPORTING WAIVER. The committee expects to spend or receive in excess of \$1,000 in an election. I/We understand that the committee owes Pre, Post, Quarterly and Annual Campaign Statements even if the committee does not spend or receive in excess of \$1,000 in an election. I/We further understand that the Reporting Waiver cannot be requested retroactively to avoid filing requirements and to avoid paying late filing fees. Further information regarding Reporting Waivers can be found in _____ of the Ballot Question Manual.</p>		
<p>*11. Name and Address of Depositories or Intended Depositories of committee funds. (Michigan Bank, Credit Union or Savings & Loan Association)</p> <p>*Official Depository (name and address): Chase Bank 1088 E. Napier Ave., Benton Harbor, MI 49022</p> <p>Secondary Depository (name and address):</p>		
<p>12. List the specific ballot proposal(s) involved using the official ballot designation if available and mark support or oppose as appropriate: <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose</p> <p>Description: Benton Harbor City Income Tax</p> <p>Indicate the ballot proposal district below by selecting Statewide, County (include the county name), Multi-County or Local (include the name of the jurisdiction). If multi-county, list the county where the greatest number of voters eligible to vote on the proposal reside.</p> <p><input type="checkbox"/> Statewide <input type="checkbox"/> County <input type="checkbox"/> Multi-County <input checked="" type="checkbox"/> Local</p>		
<p>13. ELECTRONIC FILING: This item applies to committees that file with the Michigan Department of State Bureau of Elections only and does not apply to committees that file with the County Clerk's office.</p> <p><input type="checkbox"/> Committee spent or received or expects to spend or receive in excess of \$20,000 and is required to file electronically.</p> <p><input type="checkbox"/> Committee did not spend or receive or does not expect to spend or receive in excess of \$20,000 and would like to file electronically voluntarily. Further information regarding Electronic Filing can be found in _____ of the Ballot Question Manual.</p>		
<p>14. Verification: I/We certify that all reasonable diligence was used in the preparation of the above statement and that the contents are true, accurate and complete to the best of my/our knowledge or belief. If filing electronically, I/we further agree that the signatures below shall serve as the signatures that verify the accuracy and completeness of each statement filed electronically by the committee. I/We certify that all reasonable diligence will be used in the preparation of each statement electronically filed by this committee and that the contents of each statement will be true, accurate and complete to the best of my/our knowledge or belief.</p> <p>*Current Treasurer <u>Trenton Bowens</u> Designated Record Keeper (Required only if filing electronically) _____</p> <p>Date: <u>12-23/13</u> Date: _____</p>		

COPY

2013 DEC 23 PM 2:11

CHARLES D. KELLY URBAN FOUNDATION
WVBH-LP 105.3
P.O. BOX 445 - BENTON HARBOR, MI 49023
269-927-1527

UNDERWRITING/TIME LEASE AGREEMENT

Client

David Shaw

Address

Phone:

City

B.H.

St.

MI

ZIP

49022

Fax:

Email address

AIR DAY/S:

Fri

AIR DATE/S

Nov 1, 2013

COMMENTS/INSTRUCTIONS

1 hr 6P - 7P

COST

125

ADDITIONAL FEES

Type of payment: Cash ☒ Check ☐ Credit ☐ Trade ☐

Credit card number

Exp Date

Code

Name on card:

Both parties agree the above facts constitute this entire agreement. All fees and costs are due upon signing this agreement. The yellow copy of this agreement acts as receipt of payment.

Signature:

David Shaw

Signature

WVBH-LP SALES REP

CLIENT

Date:

11-1-13

Date:

11-1-13

Board ok

Date:

11-1-13

White copy to WVBH-LP Yellow copy to client

WVBH-TIME-UNDERWR AGREE.09.30.07

CHARLES D. KELLY URBAN FOUNDATION
WVBH-LP 105.3
P.O. BOX 445 - BENTON HARBOR, MI 49023
269-927-1527

UNDERWRITING/TIME LEASE AGREEMENT

Client David Shaw
Address _____ Phone: _____
City B.H. St. MI ZIP 49022 Fax: _____
Email address _____

AIR DAY/S:

Tues MON.

AIR DATE/S

Oct 28, 2013

COMMENTS/INSTRUCTIONS

1 hr 6P - 7P

COST

\$125

ADDITIONAL FEES _____

Type of payment: Cash ☒ Check ☐ Credit ☐ Trade ☐

Credit card number _____ Exp Date _____ Code _____
Name on card: _____

Both parties agree the above facts constitute this entire agreement. All fees and costs are due upon signing this agreement. The yellow copy of this agreement acts as receipt of payment.

Signature: David Shaw

CLIENT

Signature: [Signature]

WVBH-LP SALES REP

Date: 10-27-2013

Date: 10-26-13

Board ok [Signature]

Date: 11-15-13

White copy to WVBH-LP Yellow copy to client

WVBH-TIME-UNDERWR AGREE.09.30.07

CHARLES D. KELLY URBAN FOUNDATION**WVBH-LP 105.3****P.O. BOX 445 - BENTON HARBOR, MI 49023****269-927-1527****UNDERWRITING/TIME LEASE AGREEMENT**Client Mary Alice Adams

Address _____ Phone: _____

City B. H. St. MI ZIP 49022 Fax: _____

Email address _____

AIR DAY/S:

10/28/13 - 11/5/13

AIR DATE/S

COMMENTS/INSTRUCTIONS

8 spots - minCOST \$250 ADDITIONAL FEES _____Type of payment: Cash ☒ Check ☐ Credit ☐ Trade ☐Credit card number _____ Exp Date _____ Code _____
Name on card: _____

Both parties agree the above facts constitute this entire agreement. All fees and costs are due upon signing this agreement. The yellow copy of this agreement acts as receipt of payment.

Signature: Mary Alice Adams Signature: [Signature]
CLIENT WVBH-LP SALES REPDate 10/25/13Date: 10/26/13 Board of: _____
Date: 10/26/13

White copy to WVBH-LP Yellow copy to client

WVBH TIME-UNDERWR AGREE.09.30.07

CHARLES D. KELLY URBAN FOUNDATION
WVBH-LP 105.3
P.O. BOX 445 - BENTON HARBOR, MI 49023
269-927-1527

UNDERWRITING/TIME LEASE AGREEMENT

Client MARCUS MUHAMMAD
Address _____ Phone: _____
City B.H. St. _____ ZIP 49022 Fax: _____
Email address _____

AIR DAY/S:

Mon

AIR DATE/S

11/4/2013

COMMENTS/INSTRUCTIONS

Rebroadcast - 1 hr. 7P - 8P

COST

\$ 62.50

ADDITIONAL FEES _____

Type of payment: Cash ☒ Check ☐ Credit ☐ Trade ☐

Credit card number _____

Exp Date _____

Code _____

Name on card: _____

Both parties agree the above facts constitute this entire agreement. All fees and costs are due upon signing this agreement. The yellow copy of this agreement acts as receipt of payment.

Signature: _____

CLIENT

Signature: _____

WVBH-LP SALES REP

Date: 10/31/13

Date: 11/1/13

Board ok _____

Date: 11/1/13

White copy to WVBH-LP Yellow copy to client

WVBH TIME-UNDERWR AGREE.09.30.07

RECEIPT

SIGNS PLUS

Signs The Way You Like It!

1322 Napier Ave.

Benton Harbor, MI 49022

269 925-6558

signsplus1@comcast.net

www.signsplusvprinting.com

RECEIPT NO. 9262013

DATE September 26, 2013

SOLD TO Wilce Cooke

PAYMENT METHOD	CHECK NO.	JOB#

[illegible]

TOTAL DISCOUNT

SUBTOTAL	\$	280.00
----------	----	--------

SALES TAX	6%
-----------	----

TOTAL	\$	296.80
-------	----	--------

THANK YOU FOR YOUR BUSINESS!

RU5H	\$	12.00
------	----	-------

PAYMENT	\$	308.80
---------	----	--------

BAL 0.

BENTON-MICHLANA SPIRIT NEWS

P.O. Box 465
Benton Harbor, MI 49023

Invoice

Date	Invoice #
10/28/2013	10-31-13-03

Bill To
Wilce Cooke 1130 Salem Benton Harbor, MI 49022

Terms	Page No.
Upon Receipt	

Quantity	Description	Rate	Amount
	Advertising/Community Outreach - Benton Spirit Newspaper November 5, 2013 Election		0.00
1	October 31, 2013 Full-Page AD --Vote YES, to Save Benton Harbor/City Income Tax WE APPRECIATE YOUR BUSINESS!	400.00	400.00
	October 28, 2013 Payment Received	-400.00	-400.00
Thank you for your business.		Total	\$0.00

Available Balance: \$6.57

Card Number: [REDACTED]

Expiration Date [MM/YY]: 01/15

Status: Active

Note: Your Available Balance may differ from your Actual Balance due to pending transactions that have not yet posted to your account.

Pending Transactions	Pending Transactions	Pending Transaction Details	Transaction Date(M/D/Y)
Merchant/Location	Description	Amount	

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Posted Transactions	Posted Transactions	Posted Transaction Details	Posted Date(M/D/Y)
Merchant/Location	Description	Amount	Actual

Balance Available

Balance

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

08/16/2013 KESTLER DIGITAL PRINTING

CHICAGO IL 60609 Purchase of Goods or Services -\$170.00 \$293.32 \$293.32

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

| Page |

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Bourbonais, Lori (MDOS)

From: Wilce Cooke <wilcecooke@sbcglobal.net>
Sent: Thursday, January 23, 2014 4:27 PM
To: Bourbonais, Lori (MDOS)
Subject: City of Benton Harbor Nov. 2013 Election Response from Wilce Cooke.

Sent Via:
Email: bourbonaisl@michigan.gov>

January 23, 2014

ATTN: Lori A. Bourbonais, State of Michigan

Dear Ms. Bourbonais:

Thank you for giving me an opportunity to respond to the November 2013 Benton Harbor City Income Tax ballot allegations submitted by Troy Rollins of Benton Charter Township.

Once informed of the law, steps have been taken to rectify, per Berrien County's advice. In all honesty, I had no knowledge that I was/nor did anything wrong pursuant to Michigan Election law.

The guidelines and procedures that were recently placed on the County of Berrien's website were not there prior to these allegations. The updated information will serve as a great education tool in moving forward.

I would like to inform the State that I used my own money, had no campaign office, did not solicit funds or acceptance donations. Also, I have no knowledge whatsoever, of any Facebook postings suggesting anything else (grants, soliciting funds, etc.), until I received these allegations.

Ms. Bourbonais, this was as grassroots as a campaign as it gets. It was simply, individual people trying to do what they could—with so little—to make a difference in their community. My receipts should have been forwarded to you via Marcus Muhammad list of expenses.

The previous election in May 2013 had two important proposals on the ballot. The committee for this election paid for office space, solicited and accepted donations, and had larger expenses. This campaign also had the State- appointed emergency manager for Benton Harbor in a key leadership role for both proposals on the ballot during this election. This has been somewhat confusing; especially when we noticed that they did not file pre- or post-election statements.

Now, we know better. This has been a learning experience for all of Berrien County, as well as for me.

I pray that you see the honesty in these words and waive any fees associated with this misfortune.

Again, thank you for allowing me to share my opinion regarding this matter. Should you have any further questions, please contact me.

Sincerely,

Wilce L. Cooke
1130 Salem
Benton Harbor, MI 49022

P.S. PLEASE CONFIRM RECEIPT OF THIS LETTER. THANK YOU!



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

February 14, 2014

Trenton Bowens
200 East Wall Street
Benton Harbor, Michigan 49022

Wilce Cooke
1130 Salem Avenue
Benton Harbor, Michigan 49022

George Moon
818 High Point Drive
Benton Harbor, Michigan 49022

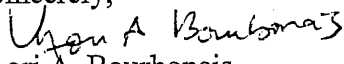
Marcus Muhammad
453 Cherry Street
Benton Harbor, Michigan 49022

Edward Pinkney
1940 Union Avenue
Benton Harbor, Michigan 49022

Dear Messrs. Bowens, Cooke, Moon, Muhammad, and Pinkney:

This letter concerns the complaint that was recently filed against you by Citizens for the Success of Benton Harbor (CSBH), which relates to purported violations of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* The Department of State has received a rebuttal statement from the complainant, a copy of which is enclosed with this letter.

Section 15(10) of the MCFA, MCL 169.215(10), requires the Department to determine within 60 business days from the receipt of the rebuttal statement whether there is a reason to believe that a violation of the Act has occurred. CSBH's complaint remains under investigation at this time. At the conclusion of the review, all parties will receive written notice of the outcome of the complaint.

Sincerely,

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Troy Rolling

Bourbonais, Lori (MDOS)

From: Benton Harbor Success <citizensforbh@gmail.com>
Sent: Wednesday, February 12, 2014 10:10 AM
To: Bourbonais, Lori (MDOS)
Subject: Rebuttal Letter

February 11, 2014

Lori Bourbonais
Bureau of Elections
Richard H. Austin Building 1st Floor
430 W. Allegan
Lansing, Michigan 48918

Troy Rolling
Citizens for the Success of Benton Harbor
P.O. Box 9087
Benton Harbor, Michigan 49023

Lori,

This group of individuals has a history of campaign violations and nobody has ever brought it to light. I sent you all the evidence that I could find. Trenton Bowens finally filed a campaign finance report after the campaign and decided to not take the time to do it correctly. (See Attached) Marcus Muhammad (another Donation to the Campaign) paid the partial amount of \$300 for filing a late finance report. They hosted town hall meetings in rented rooms and on Election Day passed out food at the polls, where did they mention that in their campaign finance report. Note: Marcus Muhammad (No Campaign Finance Report) was running for office himself at the same time. He used these same venues to campaign for himself. We honestly believe that there were larger amounts of money raised and spent given that was never reported according to the evidence presented. This should be investigated.

According to Wilce Cooke's own letter he donated money to this campaign. Wilce Cooke is the former mayor of Benton Harbor and has ran at least 6 elections he is very familiar with election law and no novice to campaign finance law. While theirs is no document that says George Moon or Edward Pinkney was involved, I've already sent you video evidence of both assisting in the campaigning. They were clearly part of the day to day campaigning operations for the vote yes campaign. We not only believe George Moon and Edward Pinkney assisted in the campaign, but also made purchases for the campaign. Edward Pinkney has a history of being arrested (Link Below) for voter and election fraud. I'm asking you to consider how much Edward Pinkney has learned how to manipulate the system and continues to do with every election.

Edward Pinkney Arrest record:

<http://mdocweb.state.mi.us/OTIS2/otis2profile.aspx?mdocNumber=294671>

The county prosecutor has investigated this case and because he's a new county prosecutor decided to take a more passive view.

Troy Rolling

269-757-1461

Citizens for the Success of Benton Harbor

----- Forwarded message -----

From: **Benton Harbor Success** <citizensforbh@gmail.com>

Date: Mon, Nov 18, 2013 at 12:31 AM

Subject: Little More Evidence

To: bourbonaisl@michigan.gov

Lori,

I came in on Friday from Benton Harbor, Mi with Citizens for the Success of Benton Harbor. And you told me I could email you more evidence I found on the VOTE YES campaign that I come across. Well I found these news interviews out there and I thought I would contribute them to the evidence pile. If I find anything else, I will send it your way.

George Moon is this video at about the 2 min mark(the story below the video has name in it):

<http://www.wsbtc.com/video-and-photos/Benton-Harbor-income-tax/-/21047006/22802674/-/x7qvko/-/index.html>

Trenton Bowens came in at about 2:00 mark

<http://www.fox28.com/story/23884636/2013/11/05/benton-harbor-residents-vote-on-income-tax-commissioners>

Edward Pigney comes up at about the 22 sec mark

Wilce Cooke follows him. (Not named)

<http://www.abc57.com/home/top-stories/tax-230449771.html>

Thank you,

Troy Rolling



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

May 8, 2014

Trenton Bowens
200 East Wall Street
Benton Harbor, Michigan 49022

Wilce Cooke
1130 Salem Avenue
Benton Harbor, Michigan 49022

George Moon
818 High Point Drive
Benton Harbor, Michigan 49022

Marcus Muhammad
453 Cherry Street
Benton Harbor, Michigan 49022

Edward Pinkney
1940 Union Avenue
Benton Harbor, Michigan 49022

Gentlemen:

The Department of State (Department) has completed its investigation of the campaign finance complaint filed against you by Citizens for the Success of Benton Harbor (CSBH), concerning alleged violations of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the disposition of CSBH's complaint, which was filed on November 15, 2013. Each of you filed an answer with the Department, with the last filed on January 24, 2014. CSBH filed a rebuttal statement on February 12, 2014.

The registration and reporting requirements of the MCFA apply to any "committee," which is defined as "a person^[1] who receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of voters for or against . . . the qualification, passage, or defeat of a ballot question, if contributions received total \$500.00 or more in a calendar year or expenditures made total \$500.00 or more in a calendar year." MCL 169.203(4).

¹ The word "person" is defined as "a business, individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, labor organization, company, corporation, association, committee, or any other organization or group of persons acting jointly." MCL 169.211(1).

Trenton Bowens
Wilce Cook
George Moon
Marcus Muhammad
Edward Pinkney
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Under the Act, a committee is required to file a statement of organization within 10 days of its formation. MCL 169.224(1). The failure to timely file a statement of organization may result in the assessment of late filing fees or, in extreme circumstances, the filing of misdemeanor charges. *Id.* The failure to file a single campaign statement may trigger late filing fees. MCL 169.234(5). In certain circumstances, the failure to file a campaign statement may constitute a misdemeanor offense. MCL 169.234(6).

CSBH alleged that you acted together to raise money, purchase radio ads, create a television commercial, print campaign cards, purchase a newspaper ad, and purchase yards signs – all of which urged voters to “vote yes” on a November 5, 2013 ballot question regarding a city income tax. As evidence, CSBH submitted a printout of certain Defending Benton Harbor (DBH) Facebook posts which ask for contributions, state that DBH would be securing office space, state that DBH purchased radio ads regarding the city income tax, and state that DBH was working on releasing a television commercial; a copy of what appears to be a palm card or flyer which contains a list of “Businesses that will contribute”² and “VOTE YES [;]” a newspaper ad which has a list of “Some Of The Businesses That Will Contribute To the City Income Tax [.]” states “VOTE YES [;]” and contains a letter signed by Mr. Muhammad which states “Let’s save Benton Harbor and VOTE YES November 5, 2013 [;]” a copy of a picture of a yard sign which states “VOTE YES ON THE CITY INCOME TAX [;]” and a copy of a picture of a yard sign which states “VOTE YES TO SAVE BENTON HAROR CITY INCOME TAX [.]” CSBH also provided links to news report videos that were available on the internet.

In response, Mr. Bowens, Mr. Cooke, and Mr. Muhammad denied any intentional violation of the Act and each indicated that the committee had now filed with the Berrien County Clerk.³ Mr. Muhammad also provided proofs of payment for expenditures made, a copy of the Statement of Organization for the Citizens to Save Benton Harbor committee (Committee), and the Committee’s filed pre- and post-election campaign statements, which were filed with the Berrien County Clerk. Mr. Bowens is listed as the treasurer of the Committee.

Mr. Moon and Rev. Pinkney denied receiving any contributions or making expenditures related to the Committee. While it appears to the Department that Mr. Moon and Rev. Pinkney may have provided volunteer services to the Committee, no evidence has been provided to refute their statements. Furthermore, volunteer personal services do not constitute “contributions” under MCL 169.204(3). Therefore, the complaints against Mr. Moon and Rev. Pinkney are dismissed.

² It appears to the Department that this is a list of businesses that would be subject to the city income tax if the ballot question passed.

³ A ballot question committee supporting or opposing a ballot question to be voted upon in a single county files its statement of organization and campaign statements with that county clerk. MCL 169.236(2).

Trenton Bowens
Wilce Cook
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In its rebuttal statement, CSBH asserts that the Committee held town hall meetings in rented rooms and that the committee passed out food at the polls. CSBH asserts that expenditures for these items have been omitted from the Committee's campaign statements. However, no evidence of these expenditures has been provided.

The Department finds that the evidence supports a conclusion that Mr. Bowens, Mr. Cooke, and Mr. Muhammad were a group of persons acting jointly who met the \$500.00 expenditure threshold to trigger the MCFA registration and reporting requirements. As such, the Committee was required to file a Statement of Organization and Pre- and Post-Election campaign statements with the Berrien County Clerk. The Committee filed its Statement of Organization and both campaign statements on December 26, 2013. The Berrien County Clerk appropriately assessed late filing fees in the amount of \$1,300.00 (\$300.00 for the late-filed Statement of Organization and \$500.00 each for late-filed pre- and post-election campaign statements). The Berrien County Clerk has confirmed that the Committee has paid the \$300.00 fee for its late-filed Statement of Organization, but \$1,000.00 remains outstanding for the belated filing of the two campaign statements.

Based on the foregoing, the Department finds that there may be reason to believe that the Committee violated the MCFA by failing to timely file its Statement of Organization and Pre- and Post-election statements. Having made this determination, the Department is required by law to attempt to resolve this matter informally. *Id.*

First, the Department acknowledges that the Committee has now filed its Statement of Organization and Pre- and Post-Election statements with the Berrien County Clerk. The Department further acknowledges that the Berrien County Clerk has assessed the Committee the statutory late filing fees, and that the Committee has paid the \$300.00 late-filing fee for its Statement of Organization. While the Committee's Pre- and Post-Election campaign statements contain imperfect disclosures, all expenditures for which the Department has evidence appear to be disclosed. Any further concerns or questions regarding these statements need to be addressed with the Berrien County Clerk.

However, the Department also notes that according to the Committee's late-filed reports, three of the expenditures made by the Committee were required to be disclosed prior to the November 5, 2013 election. Failing to timely disclose these expenditures deprived the public of any meaningful disclosure of who was behind the "vote yes" campaign prior to the election. These expenditures include \$230.00 for campaign signs, \$170.00 for the vote yes flyer, and \$308.80 for yard signs.

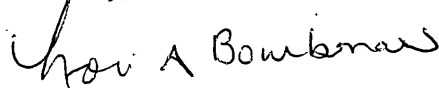
The Department offers to resolve CSBH's complaint against you through execution of the enclosed conciliation agreement, which requires that you pay the outstanding late-filing fees of \$1,000.00 to the Berrien County Clerk and a \$200.00 civil fine to the State of Michigan for failing to disclose prior to the election. **If you are inclined to execute the conciliation agreement, please return the original signed document and payment of the \$200.00 civil fine to this office on or before June 9, 2014, along with proof of payment of \$1,000.00 in late**

Trenton Bowens
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filing fees to the Berrien County Clerk. Payment of the civil fine must be made by check or money order payable to the State of Michigan; please include the notation "Conciliation Agreement, Attn: Bureau of Elections" on your check or money order. Please contact the Berrien County Clerk's office for instructions on remitting late filing fees to that office.

Please be advised that if the Department is unable to resolve this complaint informally, it is required by MCL 169.215(10)-(11) to refer the matter to the Attorney General with a request that he prosecute the Committee, Mr. Bowens, Mr. Cooke, Mr. Muhammad, or all for the misdemeanor offenses of failing to file a Statement of Organization for more than 30 days and failure to file campaign statements for more than 7 days, or commence an administrative hearing to enforce the civil penalties provided by law. "If after a hearing the secretary of state determines that a violation of this act has occurred, the secretary of state may issue an order requiring the person to pay a civil fine equal to triple the amount of the improper contribution or expenditure plus not more than \$1,000.00 for each violation." MCL 169.215(11).

Sincerely,

A handwritten signature in cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State



BUREAU OF ELECTIONS
MI DEPT OF STATE

2014 JUN -9 AM 11: 09

STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

In the Matter of:

Trenton Bowens
200 East Wall Street
Benton Harbor, Michigan 49022

MDOS 4673957-1 06/05/2014
MISC NY \$200.00

Wilce Cooke
1130 Salem Avenue
Benton Harbor, Michigan 49022

Marcus Muhammad
453 Cherry Street
Benton Harbor, Michigan 49022

Committee ID - 140586

CONCILIATION AGREEMENT

Pursuant to MCL §169.215(10) of the Michigan Campaign Finance Act (the Act), MCL §169.201 *et seq.*, the Secretary of State and Trenton Bowens, Wilce Cooke, and Marcus Muhammad, and the Citizens to Save Benton Harbor Committee (collectively, Respondents) hereby enter into a conciliation agreement with respect to certain acts, omissions, methods, or practices prohibited by the Act.

The Secretary of State alleges that there may be a reason to believe that the Respondents violated MCL §169.224(1) by failing to timely file a Statement of Organization.

The Secretary of State further alleges that there may be reason to believe that Respondents violated MCL §169.234 by failing to timely file Respondents 2013 Pre- and Post-Election campaign statements.

MISC

Therefore, Respondents hereby voluntarily enter into this conciliation agreement and assure the Secretary of State that Respondents will comply with the Act and the Rules promulgated to implement the Act.

By executing this conciliation agreement, Respondents certify that Respondents have paid in full \$1,000.00 in late filing fees to the Berrien County Clerk for the late-filed pre- and post-election campaign statements, provided proof to the Secretary of State of that late-filing fee payment, and paid in full a \$200.00 civil fine by check or money order payable to the State of Michigan.

The Secretary of State and Respondents further agree that this agreement is in effect and enforceable for four years from the date it is signed by the Secretary of State or her duly authorized representative.

The Secretary of State and Respondents further agree that this agreement, unless violated, shall constitute a complete bar to any further action by the Secretary of State with respect to the alleged violation that resulted in the execution of this agreement.

The Secretary of State and Respondents further agree that the complaint and investigation that resulted in this agreement are disposed of and will not be the basis for further proceedings, except pursuant to this agreement.

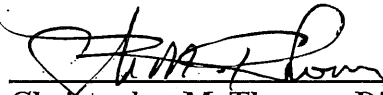
The Secretary of State and Respondents further agree that this agreement will not prevent the Secretary of State from taking action for violations of this agreement.

The Secretary of State and Respondents further agree that Respondents' performance under this agreement shall be given due consideration in any subsequent proceedings.

The Secretary of State and Respondents further agree that this agreement, when signed, shall become a part of the permanent public records of the Department of State.

The Secretary of State and Respondents finally agree that the signatories below are authorized to enter into and bind the parties to this agreement, and have done so by signing this agreement on the date below.

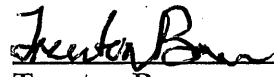
**RUTH JOHNSON
SECRETARY OF STATE**



Christopher M. Thomas, Director
Bureau of Elections

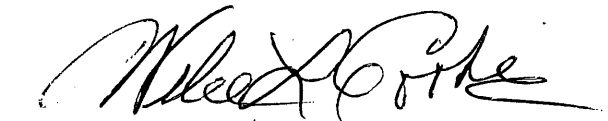
Date: June 13, 2014

RESPONDENTS



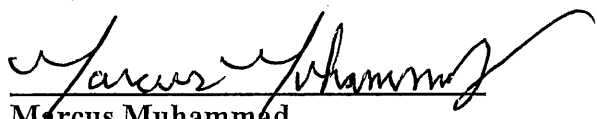
Trenton Bowens
Treasurer, Citizens to Save Benton Harbor

Date: 6-4-2014 TR



Wilce Cooke
Citizens to Save Benton Harbor

Date: 6-4-2014



Marcus Muhammad
Citizens to Save Benton Harbor

Date: June 4, 2014